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JC862 U.S. PTO

8-21-00

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PATENT

ATTORNEY DOCKET NO. ACBI.046.00US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Randy M. McCormick *et al.*) Examiner: Not Yet Assigned
Serial No.: Not Yet Assigned)
Filed: August 17, 2000) Art Unit: Not Yet Assigned
For: **Capillary electrokinesis based cellular**) **UTILITY PATENT APPLICATION**
Assays) **TRANSMITTAL**

JC862 U.S. PTO
09/642607
08/17/00

BOX PATENT APPLICATION

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

This is a request for filing a patent application under 37 C.F.R. § 1.53(b) in the name of inventor: Randy M. McCormick, Gary J. Ciambone, and Ian Gibbons.

For: **Capillary electrokinesis based cellular assays**

This application claims priority of U.S. Patent Provisional Application Serial No. 60/151,150 filed on August 27, 1999 under 35 U.S.C. § 119(e).

Application Elements:

- 30 Pages of Specification, Claims and Abstract
6 Sheet of formal Drawings

CERTIFICATE OF EXPRESS MAILING

"Express Mail" Label No.: EL637193455US

Date of Deposit: 8/17/2000

I hereby certify under 37 C.F.R. 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to BOX PATENT APPLICATION, Commissioner of Patents and Trademarks, Washington, D.C., 20231.

The PTO did not receive the following listed item(s) Small entity Statement

(Signature)

JESSICA ARDEA

(Printed Name)

09642607-081700

☒ Declaration

☒ Unexecuted Combined Inventor Declaration and Power of Attorney

☐ Copy from prior application (37 CFR 1.63(d) for a continuation or divisional).

The entire disclosure of the prior application from which a copy of the declaration is herein supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

☐ Deletion of inventors Signed statement attached deleting inventor(s) named in the prior application, *see* CFR 1.63(d)(2) and 1.33(b).

Accompanying Application Parts:

☐ Assignment and Assignment Recordation Cover Sheet (recording fee of \$40.00 enclosed)

☐ Power of Attorney

☐ 37 CFR 3.73(b) Statement by Assignee

☐ Information Disclosure Statement with Form 1449

☐ Copies of IDS Citations

☐ Preliminary Amendment

☒ Return Receipt Postcard

☒ Small Entity Statement(s) ☒ Statement filed in prior application.
Status still proper and desired.

☐ Other:

☐ A sequence listing.

☐ paper copy.

☐ computer readable copy.

☐ Statement in Compliance with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence.

Claim For Foreign Priority

☐ Priority of _____ Application No. _____ filed on _____
is claimed under 35 U.S.C. § 119

☐ The certified copy has been filed in prior application U.S. Application No. _____

☐ the certified copy will follow.

Extension of Time for Prior Pending Application

☐ A Petition for Extension of Time is being concurrently filed in the prior pending application. A copy of the Petition for Extension of Time is attached.

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Amendments

- ☐ Amend the specification by inserting before the first line the sentence: "This is a
☐ Continuation ☐ Continuation-in-part ☐ Nonprovisional application of copending
prior
☐ Application Serial No. 60/151,150 filed on August 27, 1999.
☐ International Application _____ filed on _____, which
designated the United States, disclosure of which is incorporated herein by reference."
☐ Cancel in this application original claims _____ of the prior application before
calculating the filing fee

Fee Calculation (37 CFR § 1.16):

	(Col. 1)	(Col. 2)	OTHER THAN A <u>SMALL ENTITY</u>			
			<u>SMALL</u> <u>ENTITY</u>			
<u>FOR:</u>	<u>NO. FILED</u>	<u>NO.</u> <u>EXTRA</u>	<u>RATE</u>	<u>FEE</u>	<u>RATE</u>	<u>FEE</u>
Basic Fee			\$345	\$345	\$690	\$
Total Claims	18	0	\$ 9	\$0	\$ 18	\$
Indep. Claims	3	0	\$ 39	\$0	\$ 78	\$
<input type="checkbox"/> Multiple Dep. Claims			\$130	\$0	\$260	\$
Total Filing Fee:				\$345		

TOTAL FEES: \$345.00

- ☒ A check including the amount of the above-indicated TOTAL FEES is attached.
☐ Please charge Deposit Account No.18-0020 in the amount of \$_____.
☐ No fee is required.

- 0042607 081700
- [X] Conditional Petition for Extension of Time: An extension of time is requested in the present and/or the above-referenced parent application to provide for timely filing if an extension of time is still required after all papers filed with this transmittal have been considered.
- [X] The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 18-0020.
- [X] Any filing fees under 37 CFR 1.16 including fees for the presentation of extra claims.
- [X] Any parent application processing fees under 37 CFR 1.17.
- [X] A **duplicate** copy of this sheet is attached for accounting purposes.

Respectfully submitted,

Dated: August 17, 2000

By: Barbara Rae-Venter
Barbara Rae-Venter, Ph.D.
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Enclosures